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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/741,659

12/19/2003

Huai Y. Wang

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7590

03/10/2005

Scott M. Garrett
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EXAMINER

PEZZLO, JOHN

ART UNIT

PAPER NUMBER

2662

DATE MAILED: 03/10/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/741,659

Applicant(s)

WANG ET AL.

Examiner

John Pezzlo

Art Unit

2662

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) ____ is/are allowed.
- 6) ☐ Claim(s) 10 is/are rejected.
- 7) ☒ Claim(s) 1-9 and 11-14 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 19 December 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Claim Objections

Claims 1 and 10 and 14 are objected to because of the following informalities:

1. Regarding claim 1 – Line 19, "form" should be – from --.
2. Regarding claim 10 – Last line needs to end with a period (.) not a semicolon (;).
3. Regarding claim 14 – Line 4, "commencing performing the scheduled only if the battery status." is unclear and needs to be further defined and explained that the unscheduled is not performed if the battery status is low.

Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

- I. Claim 10 is rejected under 35 U.S.C. 102(e) as being anticipated by Odman (US 2003/0152059 A1).

1. Regarding claim 10 – Odman discloses a WLAN, refer to Figure 3 and paragraph [0008]. Odman discloses power saving at the mobile units, refer to paragraphs [0169], [0193], [0196], [0208], [0209], [0213], [0231], [0255], [0256], [0269], [0270], and [0271]. Odman discloses a contention free period (synchronous transmissions using assigned time slots) and a contention access period (asynchronous transmissions), which are mapped to the scheduled transactions and the unscheduled transitions, refer to Figure 5 and paragraph [0029]. Odman discloses performing a scheduled transaction between the mobile station and access point during a scheduled service period, the mobile station transitioning from a low power WLAN mode to an active WLAN mode to commence the scheduled transaction, and then transitioning from the active WLAN mode to a low power WLAN mode upon completion the scheduled transaction, refer to Figures 5 and 6 and paragraphs [0032], [0033], [0034], [0048], and [0049].

Odman discloses asynchronous time slots which are unscheduled transmissions that need to be coordinated to insure both the source and the destination are not in the power save mode in order to correctly receive the data, refer to paragraphs [0054], [0057], and [0058]. Odman discloses performing an unscheduled transaction between the mobile station and access point during an unscheduled service period (asynchronous time slot), the mobile station transitioning from a low power WLAN mode to an active WLAN mode to initiate the unscheduled transaction, and then transitioning from the active WLAN mode to a low power WLAN mode upon completing the unscheduled transaction, refer to [0269], [0270], and [0271].

Allowable Subject Matter

Claims 1-9 are allowable over the prior art of record. (After claim 1 is corrected.)

Claims 11-13 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

1. Kandala (US 2004/0131019 A1) discloses a system and method for synchronizing an IEEE 802.11 power-save interval.
2. Soomro et al. (US 2004/0042435 A1) discloses an apparatus and method for providing QoS service schedule and bandwidth allocation to a wireless station.
3. Roark et al. (US 6,404,751 B1) discloses a common control channel dynamic frequency assignment method and protocol.
4. Jackson et al. (US 6,023,621) discloses a wireless communications system and method having dynamic reallocation of communication frequencies.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to John Pezzlo whose telephone number is (571) 272-3090. The examiner can normally be reached on Monday to Friday from 8:30 AM to 4:30 PM.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hassan Kizou, can be reached on (571) 272-3088. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (571) 272-2600.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C.

or faxed to:

(703) 872-9306

For informal or draft communications, please label "PROPOSED" or "DRAFT"

Hand delivered responses should be brought to:

Jefferson Building

500 Dulany Street

Alexandria, VA.

John Pezzlo

23 February 2005



JOHN PEZZLO
MARY EXAMINER